

1           DELEGATE HANSON: Chairman Moser, I should like  
2 to make clear for the record the significance of this  
3 section 7.04, which gives power to the counties.

4           Is my understanding of this section correct  
5 that what it does is to permit the counties to perform any  
6 function or exercise any power other than the judicial power  
7 or the tax power, as explained later in the section, unless  
8 that function or power has been denied by the Constitution  
9 or the local government's instrument of government -- meaning  
10 that it has been denied expressly -- or it may not exercise  
11 that power if that power is inconsistent with the Constitu-  
12 tion or the charter; or if the legislature has withdrawn the  
13 power and transferred it exclusively to another unit of  
14 government; or, finally, if the power or function has  
15 been denied expressly by law; or the exercise of that power  
16 or function has been found to be inconsistent with some State  
17 law enacted by the General Assembly?

18           THE PRESIDENT: Delegate Moser.

19           DELEGATE MOSER: Yes, that is correct.

20           When you say "found to be," you mean would be  
21 inconsistent?